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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLEMENTE CASTRACUCCO,

Defendants.

COMPLAINT 2:23mj66 JCB

Count 1: Bank Fraud, 18 U.S.C. § 1344

Count 2: Aggravated Identity Fraud, 18
U.S.C. § 1028(A)

Magistrate Judge Jared C. Bennett

Before the Honorable Jared C. Bennett, United States Magistrate Judge for the
District of Utah, appeared the undersigned, who on oath deposes and says:

INTRODUCTION

1. Defendant CLEMENTE CASTRACUCCO has never been a resident of Utah and is believed to be a resident of Bronx, New York.
2. At all relevant times, First Utah Bank, was insured by the Federal Deposit Insurance Corporation (“FDIC”).
3. G.Y. was a resident of Utah whose full name is known to the United States.

COUNT 1

18 U.S.C. § 1344
(Bank Fraud)

On or about November 9, 2022 in the District of Utah,

CLEMENTE CASTRACUCCO,

Defendant herein, knowingly and with intent to defraud, devised and executed a scheme and artifice to defraud a financial institution and to obtain money, funds, or other property owned or under the control of a financial institution by means of false and fraudulent pretenses or promises in that Defendant deposited a \$4,500 fraudulent check written on an account belonging to B.J. and N.Y. at First Utah Bank, a federally insured financial institution. Defendant then withdrew \$7,500 from the First Utah Bank account belonging to Colt Builders by presenting a fraudulent United States passport card in the name of G.Y. and forging the signature of G.Y.;

All in violation of 18 U.S.C. § 1344.

COUNT 2

18 U.S.C. § 1028A
(Aggravated Identity Fraud)

On or about November 9, 2022 in the District of Utah,

CLEMENTE CASTRACUCCO,

defendant herein, did knowingly transfer and possess and use, without lawful authority, a means of identification of another person, to wit: the identification of G.Y.; during and in relation to a felony violation enumerated in 18 U.S.C. § 1028(A)(c), to wit: Bank Fraud as

described above in Count 1, which is incorporated herein by reference, knowing that the means of identification belonged to another actual person;

All in violation of 18 U.S.C. § 1028(A)(a)(1).

Agent Background

I am a Special Agent with the Diplomatic Security Service (“DSS”) of the United States Department of State. I have been employed as a Special Agent with DSS since May 2012. I have extensive training in identifying and investigating fraud schemes utilizing United States issued travel documents; passports and visas. Through both my training and experience, I have learned that fraudsters often use United States travel documents to effectuate their schemes. I am authorized to make arrests for violations of federal law.

Statement of Probable Cause

1. On November 9, 2022, a male entered the First Utah Bank branch located in Salt Lake City, Utah and deposited a check for \$4,500 which was drawn on the account of B.J. and N.J. and made payable to Colt Builders. The male then proceeded to withdraw \$7,500 from the Colt Builders account and presented a United States passport card purporting to be G.Y. G.Y. is a signer on the Colt Builders account. The male forged the signature of G.Y. on the check. G.Y. is a Utah resident who was unaware of the transaction and did not authorize it.
2. First Utah Bank is a federally insured financial institution.
3. I learned from First Utah Bank that the male suspect had done similar transactions at other First Utah Bank branches. I have reviewed surveillance from the transaction as well as surveillance from other fraudulent transactions involving Castracucco,

and believe that the individual who committed the fraud at First Utah Bank is in fact Castracucco.

4. I am aware that Clemente Castracucco is not a Utah resident and has an extensive criminal history. Castracucco has open cases, most with warrants, for similar offenses in Kentucky, Wisconsin, Ohio, Washington, Oregon, New York, New Jersey, Connecticut, Alabama, Texas, Arizona, and New Mexico.
5. Through my investigation, I have learned that Castracucco has executed his scheme at other financial institutions in Utah and in other states using fraudulent United States passport cards in other people's names.
6. On December 16, 2022, Castracucco was arrested by the Saratoga Springs Police Department after officers responded to a Zions Bank branch to a report of a male attempting to cash a check not written to him. The male initially identified himself as being J.C., and was in possession of a check in the amount of \$4,500 written to Construction Truck and Trailer. The male later provided his true identity as Castracucco.
7. The majority of Castracucco's open warrants are regarding cases reflecting the same fraudulent activities as described in this affidavit. Castracucco has a pattern of fleeing after posting bail. Additionally, since his arrest, Castracucco has made several phone calls, recorded by the jail, to unidentified conspirators revealing an intent to pay bail soon and leave Utah.

Based on the foregoing information, your affiant respectfully requests that a warrant be issued for CLEMENTE CASTRACUCCO for violations of 18 U.S.C. § 1344 and 18 U.S.C. § 1028A.



Affiant
DSS Special Agent Carrington Johnson

SUBSCRIBED AND SWORN to before me this 26 day of January 2023.



JARED C. BENNETT
United States Magistrate Judge

APPROVED:

TRINA A. HIGGINS
United States Attorney

/s/ *Jamie Z. Thomas*

JAMIE Z. THOMAS
Assistant United States Attorney